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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISION

Consumer Financial Protection Bureau, Plaintiff, v. D and D Marketing, Inc., d/b/a T3Leads, Grigor Demirchyan, Marina Demirchyan, et al., Defendants.	**Case No. 2:15-cv-09692-PSG(Ex)** **Hon. Philip S. Gutierrez** **DECLARATION OF HERBERT P. KUNOWSKI IN SUPPORT OF DEFENDANTS' MOTION TO STAY THE CASE PENDING DISPOSITION OF APPEAL** **Filed Concurrently with Motion for Stay and Proposed Order** **Hearing Date: July 17, 2017** **Hearing Time: 1:30 p.m.** **Courtroom: 6A** **Courthouse: First Street**

DECLARATION OF HERBERT P. KUNOWSKI

I, Herbert P. Kunowski, declare as follows:

1. I am an attorney at law duly licensed and admitted to practice before all the courts in the State of California, including this U.S. District Court, and a member of the law firm of Wilson, Elser, Moskowitz, Edelman & Dicker LLP, counsel of record for Defendants, D and D Marketing, Inc., d/b/a T3 Leads ("D&D"), Grigor Demirchyan, and Marina Demirchyan (collectively "Defendants"), in the above-captioned action brought by Plaintiff, Consumer Financial Protection Bureau (the "Bureau"). I have personal knowledge of the matters stated herein, and could and would competently testify to the following under oath.

2. As Defendants noted in the parties' Joint Rule 26(f) Report filed with this Court on April 20, 2017, the Bureau is seeking civil money penalties in this case of up to $1,087,450 per day. (D.E. 83). This followed from the parties' Rule 26(f) conference that took place on April 6, 2017, during which the Bureau's counsel, Barry Reiferson, told me that the Bureau was seeking the recovery of $1,087,450 per day and every day for alleged knowing violations of the Consumer Financial Protection Act.

3. As agreed at the parties' Rule 26(f) conference, the parties exchanged their Rule 26(a)(1) Initial Disclosures on May 5, 2017, and the Bureau asserted in its Initial Disclosures served upon Defendants that it was entitled to seek civil money penalties of

up to $1,087,450 per day, in addition to other monetary and injunctive relief that it was seeking in this case.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct this 26th day of May 2017 at Los Angeles, California.

By: */s/ Herbert P. Kunowski*
Herbert P. Kunowski, Declarant